

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

TERRENCE BURNS

PETITIONER

V.

CIVIL ACTION NO. 3:19-CV-630-DPJ-FKB

VICTOR MASON

RESPONDENT

ORDER

This habeas case brought pursuant to 42 U.S.C. § 2241 is before the Court on the Report and Recommendation of United States Magistrate Judge F. Keith Ball [10]. Judge Ball recommended that the Court grant Respondent Victor Mason's Motion to Dismiss and dismiss the Petition as moot. In his Petition, which was filed when Petitioner Terrence Burns was a pretrial detainee in the Hinds County Detention Center, Burns sought release from detention and dismissal of all then-pending charges. According to documents filed by Mason, Burns has since entered a guilty plea and been sentenced; he is therefore no longer being held in pretrial detention in Hinds County. As such, the Court agrees with Judge Ball that Burns's petition is moot. *See Salgado v. Fed. Bureau of Prisons*, 220 F. App'x 256, 257 (5th Cir. 2007) ("[A]n action is moot when the court cannot grant the relief requested by the moving party."). Burns did not file objections to the R&R, and the time to do so has now expired.¹

Having reviewed the unopposed Report and Recommendation, the Court adopts it as its opinion. Respondent's Motion to Dismiss [8] is granted, and the Petition is dismissed as moot. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 22nd day of April, 2020.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE

¹ Court staff sent a copy of the Report and Recommendation to Burns's address on file at the Hinds County Detention Center. Because Burns is no longer being detained there, the mail was returned as undeliverable. Returned Mail [11].